



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/766,320

01/29/2004

Marcelo Krygier

P-6505-US

1221

27130

7590

10/20/2006

EITAN, PEARL, LATZER & COHEN ZEDEK LLP
10 ROCKEFELLER PLAZA, SUITE 1001
NEW YORK, NY 10020

EXAMINER

DOAN, DUC T

ART UNIT

PAPER NUMBER

2188

DATE MAILED: 10/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/766,320

Applicant(s)

KRYGIER, MARCELO

Examiner

Duc T. Doan

Art Unit

2188

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 12-16 is/are rejected.
- 7) ☒ Claim(s) 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

Claims 1-16 have been presented for examination in this application. In response to the last office action, claims 1,8,13-16 have been amended. As the result, claims 1-16 are now pending in this application.

Claim 11 is objected to.

Claims 1-10,12-16 are rejected.

Applicant's arguments filed 8/04/06 have been fully considered but they are mooted in view of new ground(s) of rejection necessitated by the Applicant's amendments to the claims.

All rejections and objections not explicitly repeated below are withdrawn.

Claim Objections

Claims 14-16 are objected to because of the following informalities:

Claims 14-16, first line, the word “(original)” should be changed to indicate the corresponding amending status in these claims.

Appropriate correction is required.

U.S.C. 112, second paragraph

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As in claim 12 the claim recites the address mode is associating with the 31-st bit of a 48-bit command having a 32-bit address argument. It's not clear the intention of this claim, whether the address mode is associating with the least significant bit of a 32-bit address field or is associating with the 31 bit of a 48 bit command which according to specification's Fig 1 corresponds to the address bit 23rd of the address field.

All dependent claim(s) are rejected as having the same deficiencies as the claims they depend from.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

A person shall be entitled to a patent unless -

(a) the invention was known or used by other's in this country or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another fled in the United States before the invention thereof by the applicant for patent, or on an international application by another

who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-8,13-16 are rejected under 35 U.S.C. 102 (a) as being anticipated by Lakhani et al (US 2003/0126385).

As in claim 1, Lakhani discloses a method for operating a non-volatile memory device comprising: using one or more unused bits of an address argument (Lakhani's page 7 table A, c1, c2 bits) of a command as an addressing mode field (Lakhani's paragraph 84 discloses a method for operating non-volatile devices using bits C1, C2 that is not being used as addressing bits) to determine whether said address argument is a byte address argument or a block address argument (Lakhani's page 7 table A, paragraph 75 discloses C1,C2 bits being used to determine the first mode, address bits being interpreted as byte address for an operation in a memory device, see paragraph 69; Lakhani's paragraph 76 discloses C1,C2 bits being used to determine the second mode, corresponding to the claim's block mode, in which an operation occurs for data in blocks of memory devices, see paragraph 70).

As in claims 2-3, the claims recite determining that the address argument is the byte address argument when the addressing mode field is zero (claim 2; Lakhani's paragraph 75 discloses the C1, C2 having value 0 for first mode/byte mode operation); determining that the address argument is the block address argument when the addressing mode field is one (claim 3; Lakhani's paragraph 76 discloses C1 having value of 1 for second mode/block mode operation).

As in claims 4-5, the claims recite accessing a byte address within a memory unit according to the byte address argument if said address argument is a byte address argument (claim 4); accessing a block address within a memory unit according to the block address

Art Unit: 2188

argument if said address argument is a block address argument (claim 5). The claims rejected based on the same rationale as of claims 1 and 2. Lakhani's paragraph 84 discloses a method for operating non-volatile devices using bits C1, C2 that is not being used as addressing bits.

As in claims 6-7, the claims recite wherein using said one or more unused bits comprises using a least significant bit of said address argument (claim 6); wherein using said one or more unused bits comprises using a most significant bit of said address argument (claim 7). Lakhani's table 1, paragraph 75 discloses using the C1, C2 bits comprising using the associating address bits to address particular cells in the memory devices. The address bits include both most significant and least significant bits.

Claims 8,13 rejected based on the same rational as of claim 1.

As in claim 14, the claim recites using one or more unused bits of the address argument as the addressing mode field. Lakhani's paragraph 84 discloses a method for operating non-volatile devices using bits C1, C2 that is not being used as addressing bits.

Claim 15 rejected based on the same rationale as of claim 2.

Claim 16 rejected based on the same rationale as of claim 3.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9-10 rejected under 35 U.S.C. 103(a) as being unpatentable over Lakhani et al (US 2003/0126385) as applied to claim 8, and in view of Zer et al (US 2005/0055479).

As in claims 9,10 the claims recite wherein said memory unit is a multi media card (MMC) (claim 9); wherein said memory unit is a secure digital (SD) memory card (claim 10) Lakhani does not expressly disclose the memory is a multi media card or secure digital card. However, Zer's paragraph 6 discloses systems using the removable storage device such as MMC and SD cards. It would have been obvious to one of ordinary skill in the art at the time of invention to use the removable memory cards, for example MMC and SD cards, as suggested by Zer in Lakhani's system thereby further providing secure, light weight, efficient data transferring storage media for various systems such as PDA, cellular telephones (see Zer's paragraphs 6-7).

Allowable Subject Matter

Claims 11 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP 706.07(a). Applicant is reminded of the extension of time policy as set forth in 36 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


When responding to the office action, Applicant is advised to provide the examiner with the line numbers and page numbers in the application and/or references cited to assist examiner to locate the appropriate paragraphs.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc T. Doan whose telephone number is 571-272-4171. The examiner can normally be reached on M-F 8:00 AM 05:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mano Padmanabhan can be reached on 571-272-4210. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2188

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


10/15/06
MANO PADMANABHAN
SUPERVISORY PATENT EXAMINER